



**Livestock and Seed Program
Audit, Review, and Compliance Branch
Quality System Audit Report**

AUDIT INFORMATION

Applicant Name:	Ohio Ecological Food and Farm Association (OEFFA)
Est. Number:	N/A
Physical Address:	9665 Kline Road, West Salem, OH 44287
Mailing Address:	9665 Kline Road, West Salem, OH 44287
Contact & Title:	Stephen F. Sears, Certification Administrator
E-mail Address:	organic@oeffa.com
Phone Number:	419-853-4060
Auditor(s):	Steve Ross
Program:	USDA National Organic Program (NOP)
Audit Date(s):	July 19, 2007
Audit Identifier:	NP7033DDB
Action Required:	Yes
Audit Type:	Corrective Action Audit
Audit Objective:	To verify that corrective actions adequately address the non-compliances identified during the Surveillance-Accreditation Renewal Audit.
Audit Criteria:	7 CFR Part 205, National Organic Program, Final Rule, dated December 21, 2000; Updated September 11, 2006
Audit Scope:	Submitted corrective actions
Location(s) Audited:	Desk

Ohio Ecological Food and Farm Association (OEFFA) submitted corrective actions to the NOP on June 20, 2007, and forwarded to the auditor of record on June 26, 2007. OEFFA submitted:

- Letter detailing the corrective actions to the nine noted non-compliances; and
- Client letters notifying them of the cost estimates for the NOP certification.

The auditor of record also received the 2007 NOP Annual update from OEFFA. The annual update was not reviewed due to the on-site audit for re-accreditation.

FINDINGS

Based on the submitted corrective actions, OEFFA adequately addressed two of the nine non-compliances. The other seven non-compliances remain outstanding as neither the supporting documentation or actions were adequate.



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NP7033DDB.NC2 –Adequately Addressed - NOP §205.642 states, "...The certifying agent shall provide each applicant with an estimate of the total cost of certification and an estimate of the annual cost of updating the certification." *OEFFA supplies the client with a fee schedule in which the client fills in the fees for the certification requested and sends in a payment to OEFFA. The clients are not being supplied with a cost estimate from OEFFA for either the initial or annual certification.* **Corrective Actions:** OEFFA submitted letters that will be sent to clients that details the estimated cost of the initial or annual certification.

NP7033DDB.NC3 – Adequately Addressed - NOP §205.403(a)(1) states, "A certifying agent must conduct an initial on-site inspection of each production unit, facility, and site that produces or handles organic products and that is included in an operation for which certification is requested. An on-site inspection shall be conducted annually thereafter for each certified operation that produces or handles organic products..." *OEFFA has a Grower Group procedure which all entities are inspected the initial year and then new entities and 20% of approved growers are inspected the subsequent years. OEFFA has had one grower group in 2005 but in 2006 that grower group did not request re- certification and currently OEFFA does not have any grower groups certified. However the procedure is not in compliance to the NOP Rule.* **Corrective Action:** OEFFA has no grower groups certified at the present time; however, OEFFA has changed the procedure and has adopted the NOSB recommendations on Grower Groups dated October 20, 2002, and was identified by Barbara Robinson of the NOP as an accepted practice.

NP7033DDB.NC1 – Not Adequately Addressed – NOP 205.504(b)(1) requires the certifying agent to submit a copy of the procedures to be used to evaluate certification applicants, make certification decisions, and issue certification certificates. *Currently OEFFA has a written procedure that requires a certification committee review and make recommendations to an OEFFA staff member to make the final certification decision. OEFFA has submitted in the NOP 2007 Annual Update which changes the review by a certification committee to a certification panel that is the OEFFA staff and a decision checklist will be used to make the certification decision. However, the procedure did not identify who would comprise the certification panel, who would make the final decision, and has not been developed the decision checklist.* **Corrective Actions:** OEFFA submitted that key staff positions were being changed and that a new person was employed to review the submitted applicant files and that Mr. Sears and Ms. Upp would continue to make certification decisions until their positions were replaced. The certification panel that would provide guidance or expertise if needed has not been chosen. Also the decision checklist is not fully developed. Therefore, this non-compliance remains outstanding until supporting documentation is submitted to show the procedural change for the staff, the chosen certification panel, and the completed decision checklist.

NP7033DDB.NC4 – Not Adequately Addressed – NOP §205.662(a)(3) & (b) states, "When an inspection, review, or investigation of a certified operation by a certifying agent... reveals any noncompliance with the Act or regulations in this part, a written notification of noncompliance shall be sent to the certified operation. Such notification shall provide: (3) The date by which the certified operation must rebut or correct each noncompliance and submit supporting documentation... (b) When a



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certified operation demonstrates that each noncompliance has been resolved, the certifying agent... shall send the certified operation a written notification of noncompliance resolution.” *OEFFA is not giving the client a date that the certified operation must rebut or correct each noncompliance. OEFFA is also not sending the written notification of noncompliance resolution to all clients based on the severity of the noncompliance. If OEFFA had determined that the non-compliance was of minor consequence, no written notice of resolution was given when the client submitted adequate resolution. A verbal acceptance was given.* **Corrective Action:** OEFFA submitted that notification letters would include the date that a certified operation must rebut or correct non-compliances and letters of acceptance of noncompliance resolutions would also be sent. OEFFA did not submit any actual letters to show that this was being done for either requirement.

NP7033DDB.NC5 – Not Adequately Addressed – NOP §205.301(b) states, “A raw or processed agricultural product sold, labeled, or represented as ‘organic’ must contain (by weight or fluid volume, excluding water and salt) not less than 95 percent organically produced raw or processed agricultural products...”

1. *OEFFA has certified one client as “Certified Maple Water” in which water is condensed from the maple syrup cooking process and bottled and labeled as Maple Water. The water is not flavored and therefore the water can’t be certified.*
2. *OEFFA has a certified client in which the label states, “Feta Cheese from Certified Organic Milk” and from “100% Grass Fed Cows”. The ingredient statement states, “OEFFA Certified Milk, cheese cultures, plant enzymes.” OEFFA does not certify all the milk that is used in the cheese making process (company has two other suppliers). The OEFFA Certified Milk does not meet the requirement of the “certified by” statement. Also, the product profile shows the cheese is >95% organic material and the label implies that the product is “made with” organic ingredients. OEFFA is not certifying the 100% Grass fed cows for the other two clients that milk is received from.*

Corrective Actions: OEFFA informed the client that the water could not be labeled “Certified Maple Water” and required the cheese maker to change the labels on the cheese. OEFFA did not submit the information about the water and did not submit the new labels for the cheese.

NP7033DDB.NC6 – Not Adequately Addressed – NOP §205.501(b)(2) states, “...That the certifying agent: does not require compliance with any production or handling practices other than those provided for in the Act and the regulations in this part as a condition...” *A review of the client files and observations made during the on-site inspections found that OEFFA is requiring additional conditions for certification, such as:*

1. *Inspectors identifying a required 25 foot buffer zone;*
2. *Inspector’s checklist and inspectors are implying that clients need to notify neighbors of organic farming and the need to post no-spray signs;*
3. *Certifying agent requiring that processing/handling requirements develop quality control manuals and sanitation procedures including worker sanitation and training manuals as a condition of certification;*
4. *Requiring the client to perform water tests for coliforms and nitrates on pond or well water for drinking water for animals and requiring the client to pay. Also requiring the client to perform*



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water tests for coliforms and nitrates on well water for washing fruits and vegetables;

5. *Requiring a client that sells livestock feed to a dairy or other livestock producers to have a lot numbering system; and*
6. *OSP's for crop, livestock and handling operations have statements not in compliance to the NOP rules such as:*
 - a. *A diversified crop rotation is required;*
 - b. *NOP Rule requires a crop rotation plan that maximizes soil organic matter content;*
 - c. *Width of minimum buffer is dependent on certifying agent policy;*
 - d. *Water used for organic livestock must be potable and readily accessible;*
 - e. *NOP standards require that humane methods of handling be used for loading, unloading, holding and slaughter;*
 - f. *NOP standards require that all primary ingredients be certified organic unless not available; and*
 - g. *NOP Standards require attachment of a complete written description for schematic product flow chart.*

Corrective Action: OEFFA conducted training of their inspectors on April 5, 2007, to inform them of the OEFFA/NOP requirements and not to be informing clients of wrongful information. OEFFA also stated that the OSP's and OEFFA checklists were being reviewed for errors. OEFFA did not submit any training records showing who was present and the scope of the training. OEFFA did not submit the corrected OSP's or checklists for review.

NP7033DDB.NC7 – Not Adequately Addressed – NOP §205.404(a) states, "...The certification may include requirements for the correction of minor non-compliances within a specified time period as a condition of continued certification." *OEFFA has approximately 412 certified clients. A review of 13 client files found that OEFFA did not issue non-compliances for:*

1. *An udder cream was being used that contained propylene glycol and was approved for use when it had an unapproved input.*
2. *How client protected waterways in order to avoid contamination by cows; bedding used for cows was not certified organic; and Teat dip called Iodine Udder line 55 not reviewed for approval.*
3. *One dairy client was not meeting the 80/20 rule as grain was not organic, corn and corn distillates were not verified as organic and transitional hay was used but not explained as to what year it was transitioned. The animals did not complete the 80/20. Calves with pneumonia were treated with antibiotics and no records were shown to show how the calves were removed from the program. The animals were not certified as organic; however, the ACA did not write any non-compliance against the livestock portion of the client's program. The client was issued a certificate for crops.*

Corrective Actions: OEFFA has hired additional staff to help with the heavy workload especially in the livestock sector. OEFFA is developing additional review documents including a decision checklist and product review checklist to aid the reviewers/decision makers. OEFFA did not submit qualifications of additional personnel hired and did not submit the new checklists.



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NP7033DDB.NC8 – Not Adequately Addressed – NOP §205.402(a)(2) states, “Upon acceptance of an application for certification, a certifying agent must: Determine by a review of the application materials whether the applicant appears to comply or may be able to comply with the applicable requirements of subpart C of this part.” It is the accredited certifying agent’s (ACA) responsibility to verify that all ingredients and inputs utilized by an operation certified by that ACA are in compliance with the Final Rule and the National List. *Inspection reports and observations made during on-site inspections found that the inspectors are reviewing only the OMRI list or stating that they are “familiar” with the product and know it is approved. OEFFA was not able to produce any documentation that the final decision to certify a client’s inputs was based on the NOP Rule and not the OMRI list.* **Corrective Actions:** OEFFA discussed with the inspectors at the April 5, 2007, training for the need to review the products against the NOP Final Rule and the OMRI as a reference guide. OEFFA did not submit a list of inspectors trained and the scope of the training to verify this has been done.

NP7033DDB.NC9 – Not Adequately Addressed – NOP §205.207(a,b) states, “A wild crop that is intended to be sold, labeled, or represented as organic must be harvested... A wild crop must be harvested in a manner that insures that such harvesting will not be destructive...” *Neither the OSP nor the inspector’s checklist, issued by OEFFA, addressed these requirements and the basis for the decision to certify for wild crops could not be established. The certificate issued states either “Wild crafting,” “Woods,” or crop specific such as Cohash or Ginseng. One client file indicated that roots had been transplanted from a national forest to other ground to maintain the crop. This client was certified as wild crop when these would indicate a crop.* **Corrective Actions:** OEFFA is reviewing and addressing the wild crops in the OSP and inspectors checklist. OEFFA did not submit the revised OSP or checklist for review.